

**TESTIMONY OF THE  
DEPARTMENT OF INLAND FISHERIES AND WILDLIFE  
BEFORE THE JOINT STANDING COMMITTEE ON INLAND  
FISHERIES AND WILDLIFE  
IN SUPPORT OF L. D. 1191**

**“AN ACT TO STRENGTHEN THE FISHING LAWS”**

**SPONSORED BY: Representative ESPLING of New Gloucester**

**CO-SPONSORED BY: Representative BRIGGS of Mexico  
Representative DAVIS of Sangerville  
Senator DUTREMBLE of York  
Representative EVANGELOS of Friendship  
Representative KUSIAK of Fairfield  
Representative MARKS of Pittston**

**DATE OF HEARING: April 11, 2013**

Good afternoon Senator Dutremble, Representative Shaw and members of the Inland Fisheries and Wildlife Committee. I am Andrea Erskine, Deputy Commissioner of the Department of Inland Fisheries and Wildlife speaking in support of **L.D. 1191**.

L.D. 1191 will permit the department to clarify, define and conduct a number of activities currently required and guided by sections of Title 12 §12461, 12504, 12505, 12760, 12761 and Title 38 §480-Q of the Maine Revised Statutes.

The department recently reclaimed Big Wadleigh Pond in November 2012 to remove invasive fish species from this native brook trout and Arctic char water. Big Wadleigh Pond is defined as a state heritage fish water under §12461. As a result, this pond may not be restocked with fish without an exception to §12461. This bill will provide the same exception that permitted the reclamation and subsequent stocking of Big Reed Pond (§12461, sub-§6).

Through this bill the department will clarify the definitions of “fishing derby” and “fishing tournament”. These phrases are currently used interchangeably, though the only “fishing tournament” permit the department issues is a bass fishing tournament permit. A derby permit will not allow a participant to keep fish alive prior to entry into the derby. All fish must be killed and become part of the persons daily bag limit. This change will eliminate the confusion the public experiences when applying for permits to hold either

type of fishing event. In addition, this bill will allow the commissioner to revoke or refuse to issue a derby or tournament permit if that club, group, or individual violates permit conditions.

This bill will restore the commissioner's sole authority to perform official duties related to the construction of new dams, monitoring the condition, maintenance and use of fishways at dams in Maine's inland waters. This authority is important to protect and develop existing and future freshwater sport fisheries for the public.

I would be glad to answer any questions at this time or during the work session.